

## **MINUTES**

### **UTAH SOCIAL WORK LICENSING BOARD MEETING**

**December 8, 2005**

**Room 4B – 4<sup>th</sup> Floor – 9:00 A.M.  
Heber Wells Building**

**CONVENED:** 9:00 A.M.

**ADJOURNED:** 3:15 P.M.

**Bureau Manager:  
Board Secretary:**

Noel Taxin  
Karen McCall

**Board Members Present:**

Mark de St. Aubin  
Dennis R. Frandsen  
Patsy J. Smith  
Jean V. McAfee  
Steven Fisher

**Board Members Absent:**

Kathryn Della-Piana, Chairperson  
Joyce Stowe-St. Clair

**Guests:**

Dee Thorell, Division Investigator

#### **TOPICS FOR DISCUSSION**

#### **DECISIONS AND RECOMMENDATIONS**

##### **ADMINISTRATIVE BUSINESS:**

Acting Board Chairperson

Patsy J. Smith was requested to act as Board Chairperson for this meeting.

Read and approve the November 10, 2005 Minutes.

Mr. Frandsen made a motion to approve the minutes with minor revisions. Mr. de St. Aubin seconded the motion. **The Board vote was unanimous.**

##### **PENDING BUSINESS:**

90 Day Exemption from Licensure

Ms. Taxin reported that the AG's office has reviewed the Law and Rule and do not find any basis to allow for the Division to issue a letter exempting individuals from licensure. Ms. Taxin stated that newly graduated individuals seeking licensure in other States wait for

all the requirements to be met, submit their application and are issued a license. Ms. Taxin stated that she will report any additional information from the AG's office at the next scheduled Board meeting.

Ms. Taxin stated that the Division has had several applications recently where the applicant and the supervisor have counted the 90 day exemption into the total supervised mental health therapy hours for the LCSW. Ms. Taxin further stated that applications have been received where the applicant has filled out their own supervision form and the supervisor has just signed the form. Ms. Taxin commented that when the Division staff contact the supervisor, the supervisor is unsure of supervision requirements.

Ms. Taxin asked the Board what they thought the consequences should be for unlawful practice and to consider possibly implementing a fine for unlawful practice. Ms. Taxin explained that the supervisee would receive a fine ticket with a cease and desist letter. The supervisee would then have to meet in a hearing with the Judge. The Judge could reduce the fine or enforce the fine.

**Further discussion was deferred to the January 12, 2006 Board meeting.**

Proposed Rules Review

This item was deferred to the January 12, 2006 Board meeting.

**NEW BUSINESS:**

**APPOINTMENTS:**

**9:30 A.M.**

Greg M. Lott, Probationary Interview

Mr. Lott met for his probationary interview.

Board members and staff were introduced to Mr. Lott.

Ms. Taxin conducted the interview.

**Mr. Fisher disclosed to Mr. Lott and the Board that he graduated with the other party involved with Mr. Lott's case and would recuse himself if Mr. Lott requested. Mr. Fisher stated he would like to stay in the meeting and that he thought he**

**could be objective in the probationary interview.**

Mr. Lott consented for Mr. Fisher to stay in the meeting and be part of the discussion.

**Ms. Taxin requested Mr. Lott to share with the Board why he is on probation and his perception of the Stipulation agreement requirements.**

Mr. Lott explained that he had had problems supervising a student. Mr. Lott commented that he could and should have had more control over the supervision. He stated he had let the student present the cases to review and, as a result, not all cases were staffed each week.

**Ms. Taxin asked Mr. Lott what is required of him while he is on probation.**

Mr. Lott responded that he knows he must develop a plan for supervision and a plan of action.

**Mr. Fisher stated that Mr. Lott must also have supervision.**

**Ms. Taxin recommended that she read the steps and then let Mr. Lott and the Board discuss the requirements.**

**Ms. Taxin read the following:**

- 1. The probation is for an 18 month period.**
- 2. Mr. Lott must work under supervision of a mental health therapy supervisor that is approved by the Board.**
- 3. The approved supervisor must submit reports monthly for 6 months and then quarterly.**
- 4. Submit a practice plan at the second scheduled appointment. The practice plan must address the possibility of future supervision of students, interns and licensed mental health personnel. The plan must indicate how to provide appropriate, comprehensive and adequate supervision, establish safeguards and mechanisms to recognize ethical dilemmas and provide a**

**safe arena to process such issues. The plan should include the vision of the students or interns responsibilities, the supervisor's responsibility, appropriate locations for therapy and expectations for contracted staff.**

- 5. Mr. Lott may not supervise any student, intern or mental health therapist for 4 months.**
- 6. Prior to supervising, Mr. Lott must have his practice plan approved by his supervisor, the Division and the Board.**
- 7. Complete 20 hours of continuing education (CE) within 18 months in addition to renewal CE requirements.**
- 8. Practice in compliance with generally recognized ethical standard of social work.**

Mr. Lott requested the Board to consider Clayton Shumway, LCSW, as the supervisor. Mr. Lott stated that Mr. Shumway works full time at the prison and contracts with Mr. Lott's agency part time. Mr. Lott stated he has briefly talked with Mr. Shumway and that he agreed to supervise him.

**Mr. de-St. Aubin responded that the supervisor cannot be an employee of Mr. Lott as he must have independent control.**

Mr. Lott remarked that the agency contracts with the staff and not with Mr. Lott personally.

**Ms. Taxin asked if Mr. Lott could accept feedback from Mr. Shumway.**

Mr. Lott responded that he could accept guidance from Mr. Shumway. Mr. Lott stated that he chose Mr. Shumway as he is single, has time to supervise, very astute, has a passion for the work and has gone above and beyond the expectations for the agency.

**Ms. Taxin reminded Mr. Lott that Mr. Shumway will need to submit a copy his resume and a letter that he has read the Stipulation and Order and agrees to supervise Mr. Lott. Ms. Taxin suggested Mr. Lott give some thought to the possibility of choosing a supervisor from another agency due to**

**the working relationship.**

**The Board suggested Mr. Lott consider using the practice plan as an agency policy for future use at the agency.**

**An appointment was made for Mr. Lott to meet again January 12, 2006, with a formal proposal for a supervisor and a practice plan. Mr. Lott will then meet quarterly with the Board.**

**10:30 A.M.**

James Bone, Probationary Interview

Mr. Bone met for his probationary interview.

Ms. Taxin conducted the interview.

Mr. Bone submitted his supervisor's report and a letter from his employer regarding Mr. Bone serving on a Board that addresses prevention and treatment of opiate addiction for adolescents. Mr. Bone reported he is still involved in teaching at Salt Lake Community College and is working with St. Marks Hospital with patients who have had or are having by-pass surgery. Mr. Bone stated he is doing volunteer work at the Caring Connection with suicide and grief groups. Mr. Bone requested guidance regarding a request for termination of probation as the MOU states he may request termination after 3 years if successful in MOU requirements.

**Due to the Stipulation and Order, Ms. Taxin responded that Mr. Bone could write a letter telling the Board where he started, where he is now in the process and request termination based on his growth, etc. The Board would then review the request.**

**Ms. Taxin asked if Mr. Bone has any desire to use drugs or any other issues.**

Mr. Bone responded that he has no desire to use drugs. He stated he has anger regarding prescription drugs and the loss of lives and damage to families who have children on drugs.

**Ms. Taxin asked how Mr. Bone deals with the anger.**

Mr. Bone responded that he goes to friends and co-workers and talks through the anger.

**Mr. de-St. Aubin asked Mr. Bone about his supervision.**

Mr. Bone responded that the supervision is going well. He stated he meets for an hour every week and he and the supervisor go over cases. Mr. Bone stated they spend extra time on the trouble cases and each case is looked at during the month. Mr. Bone shared that his supervisor is kind and knowledgeable and has taught Mr. Bone many things in the areas of diagnosis, treatment and ethics. Mr. Bone stated that his supervisor comes into sessions sometimes to observe. The clients are comfortable and feel safe and they know Mr. Bone and the supervisor are the only people reviewing the files.

**An appointment was made for Mr. Bone to meet again January 12, 2006.**

**11:00 A.M.**

Jennie Gwilliam, Probationary Interview

Ms. Gwilliam met for her probationary interview.

Ms. Taxin conducted the interview.

**Ms. Taxin requested Ms. Gwilliam to clarify who her main supervisor is and what that supervisor is doing for Ms. Gwilliam.**

Ms. Gilliam responded that Bruce Humphries is the main supervisor. Ms. Gwilliam stated that she and Mr. Humphries go over each client every week.

Ms. Gwilliam stated that Allen Weeks is over the agency and he reviews all notes and charts every month.

Ms Gwilliam stated that Lynne Clark-Brunson is another supervisor, consultant, a therapist and a colleague. Ms. Gwilliam stated she talks with Ms. Clark-Brunson about her situation with DOPL and they go over some cases but Ms. Clark-Brunson is not a formal supervisor.

Ms. Gwilliam remarked that the position with Family Solutions did not work out and she will not be working with Hollie Schelin.

**Mr. de St. Aubin remarked that the Board reviewed the letters and noted Mr. Humphries stated that the Board and Division are wasting their time by having Ms. Gwilliam on probation and meeting regularly with the Board. Mr. de St. Aubin asked Ms. Gwilliam to respond to the comment.**

Ms. Gwilliam responded that, possibly Mr. Humphries is referring to her being above reproach, capable in her work and does not require to be under supervision.

**Ms. Smith asked if Ms. Gwilliam has any plan regarding how she might make changes to the type of therapy she was doing.**

Ms. Gwilliam stated that there are many ways of doing therapy and she is always attending training programs, conferences and seminars to learn the therapies that work. Ms. Gwilliam shared that she is also licensed as a massage therapist and does use some of those techniques in her therapy sessions. Ms. Gwilliam commented that she teaches clients techniques to self regulate when they find themselves getting out of control. Ms. Gwilliam stated that for years she always completed her sessions with a hug to teach appropriate touching. Ms. Gwilliam explained that the hug is part of the attachment technique and she is very careful that the hug does not push past the client's comfort zone. Ms. Gwilliam commented that a hug would not be appropriate for a borderline client.

**Ms. Taxin again requested Ms. Gwilliam to respond to Mr. Humpries comment on wasting Ms. Gwilliam's time and the Board's time and ask if Ms. Gwilliam has any thoughts regarding what the Board can do to assist Ms. Gwilliam to get more out of her meetings.**

Ms. Gwilliam responded with comments regarding the Utah Chapter of NASW conference and Alan Misbach and her perception that Mr. Weeks was maligning her in his Utah NASW conference presentation.

**Ms. Taxin reminded the Board and Ms. Gwilliam that the Board and Division have the goal and responsibility to protect the public and to be sure Ms. Gwilliam is using correct and acceptable procedures. Ms. Taxin stated that if the Board felt comfortable that Ms. Gwilliam has changed her practices and is being supervised correctly, then the Board and Division will be satisfied that Ms. Gwilliam has met the requirements of the Stipulation and Order.**

Ms. Gwilliam stated that she is working part time and the Stipulation and Order require full time employment or the probation time is pro rated based on a 40 hour work week. Ms. Gwilliam requested the Board to reconsider and allow her to work part time to meet the full requirement.

**Ms. Taxin responded that the Board and Division are unable to make a decision or recommendation based on Ms. Gwilliam's comments until she makes a formal request. Ms. Taxin requested Ms. Gwilliam to submit something in writing for the Board and Division to review regarding a change in the Stipulation and Order. Ms. Taxin stated that the request would be reviewed and a recommendation made with no guarantees of a change in the Stipulation and Order.**

**An appointment was made for Ms. Gwilliam to meet again March 16, 2006.**

**Ms. Taxin suggested that Ms. Gwilliam come prepared to the next meeting to discuss her practice from past to present and techniques she has found to be therapeutic that remain in the scope of her practice. Ms. Taxin again commented that the Board and the Division have the responsibility to protect the public and to be sure Ms. Gwilliam is a safe practitioner and making her time with the Board not a waste of her time.**

Ms. Gwilliam agreed and stated she would be prepared for the next meeting.



**11:30 A.M.**

Sandie Johnson, Probationary Interview

Ms. Johnson met for her probationary interview.

Ms. Taxin conducted the interview.

Ms. Johnson submitted 2 reports and a termination request. Ms. Johnson also submitted a letter requesting the Board to consider termination of probation. Ms. Johnson reported that she is still working with a case load of about 70 clients. She commented that most of the cases are on medications and are seen about every three months.

**Ms. Taxin asked Ms. Johnson if she had given any thought to the Board's suggestion of reviewing her coping skills when stressed.**

Ms. Johnston responded that she has given much thought to the suggestion. Ms. Johnson stated that she had made cognitive errors. She went back to the information she had used to teach a class and reviewed the information. As a result, Ms. Johnson stated, she was able to identify how she was pulled in to making errors in her judgment.

Ms. Johnson commented that she knows her pattern is to catastrophizes. Ms. Johnson stated that she knows her clients are poor, funds are drying up and she feels responsible to locate resources for these people. She now sees that she must look at their environment and not their being poor.

Ms. Johnson further stated that she awfulizes and falls into the clients problems and tries to help solve those problems. She commented that she can see where she needs to look at the issues of the clients and teach them to help themselves by empowering them with skills.

Ms. Johnson commented that her anger tends to cover her fears. Ms. Johnson stated that she realizes that her clients need a good role model and that she needs to be that good model. Ms. Johnson stated that she now processes her anger with the system with her co-therapist. Ms. Johnson further stated that she works

with a group of 4 people who share some of the same clients. She stated that all 4 people have different areas of expertise and they all talk together regarding techniques and issues.

Ms. Johnson commented that this probationary experience has been shaming for her but has also been a great teaching and learning experience.

**The Board noted a significant change in Ms. Johnson's demeanor and ability to express herself regarding the probation, her job and her clients.**

**Mr. Frandsen made a motion to terminate probation. Mr. Fisher seconded the motion. The Board vote was unanimous.**

**Ms. Taxin explained the termination process.**

#### **12:00 P.M. to 1:00 P.M. – Lunch Break**

#### **1:00 P.M.**

Curtis Watson, Probationary Interview

Mr. Watson met for his probationary interview.

Ms. Taxin conducted the interview.

**Ms. Taxin notified Mr. Watson that the Division had received his supervisor's report this morning. Ms. Taxin stated that it reflected positive performance and that it was the most detailed report we have received. Ms. Taxin asked Mr. Watson to explain the comment regarding being assigned some female clients.**

Mr. Watson responded that he was assigned a client that came in from California. His supervisor was of the opinion Mr. Watson was more qualified than some of the other clinicians to work with the client.

Mr. Watson stated that he is teaching a class while working on his dissertation but is very careful with his boundaries. He stated he is starting to open up more, doing more design programming and enjoying teaching a Bachelor program class in group work. Mr. Watson commented that he thinks he is more calm than he has been in the past. Mr. Watson stated that he has been offered a position in California opening up a

new facility. To date, Mr. Watson has not made a firm decision.

**Ms. Taxin requested Mr. Watson to make contact with her regarding his probation if the decision is to take the position in California.**

**Ms. Taxin asked if Mr. Watson has completed his required continuing education.**

Mr. Watson responded that he thought he had submitted documentation of 9 hours and 12 hours.

**Ms. Taxin reviewed the file completely and found both certificates of completion.**

**An appointment was made for Mr. Watson to meet again March 16, 2006.**

**2:00 P.M.**

Henry McCloyn, Probationary Interview

Mr. McCloyn met for his probationary interview.

Ms. Taxin conducted the interview.

Mr. McCloyn submitted a letter from Linda Rhees stating Mr. McCloyn has informed her of his Stipulation and Order and he is currently employed part time at Cottonwood Youth Academy. Mr. McCloyn commented that most of his clients are from out of State and are in the age range of juveniles to young adults.

**Ms. Taxin asked if Linda Reese has read the Stipulation and Order.**

Mr. McCloyn responded that he does not have a copy to give to Ms. Reese. Mr. McCloyn stated he talked with Ms. Reese regarding the issues that resulted in probation and the requirement of calling in daily for drug testing. Mr. McCloyn stated he explained that he only tests when his number is on the list.

**Ms. Taxin reminded Mr. McCloyn that his supervisor is required to submit monthly reports for right now. Ms. Taxin voiced concern that Mr. McCloyn has been working at Cottonwood Youth Academy for 5 months and the Division has not yet**

**received any reports. Ms. Taxin stated that once the reports are received regularly and the Division and Board are satisfied the supervision is acceptable, the reports will be required quarterly. Ms. Taxin requested Mr. McCloyn to make sure the supervisor is specific on issues discussed and working on.**

**Ms. Taxin reminded Mr. McCloyn that he is required to have clean drug tests for a year. Ms. Taxin reviewed Mr. McCloyn's testing report which reflects 5 excused tests, 6 missed tests, of which 2 Mr. McCloyn did not call in, and 2 positives from November 5, 2004 to present.**

Mr. McCloyn responded that he did disclose that a test would be coming in positive and discussed the second positive with Board regarding taking another person's prescription drug. Mr. McCloyn stated that he thought he had only missed 2 tests.

**Ms. Taxin suggested he discuss the report with the Division URAP staff. Ms. Taxin reiterated that Mr. McCloyn is expected to meet the requirement of a minimum of 1 year of clean tests before the Board or Division will consider termination of probation.**

**Ms. Taxin recommended Mr. McCloyn review the laws and rules, his Stipulation and Order and review with his supervisor his case load and any problems he may have with his clients. Mr. McCloyn was given a supervisor's report form. Ms. Taxin requested the first report from Linda Rhees be submitted as soon as possible in December 2005 with a copy of Ms. Rhees resume. Ms. Taxin further requested each report be submitted near the first of each month in order to prepare the information for the Board to review. Ms. Taxin requested Mr. McCloyn to contact her if he has any change in his employment or hours of employment.**

**An appointment was made for Mr. McCloyn to meet again March 16, 2006.**

## **APPLICATIONS:**

Darrell Lewis, Education Review

**The Board reviewed the Social Work Law and Rules and Mr. Lewis's application for licensure as a Certified Social Worker (CSW). The Board determined Mr. Lewis has met the education requirements for licensure as a CSW. The Board further determined Mr. Lewis education does not meet the requirements of education for licensure as a Clinical Social Worker (LCSW) as Mr. Lewis has not completed the requirement of Law 58-60-205.(1)(g) have completed a case work, group work, or family treatment course sequence with a clinical practicum in content as defined by rule... The Board recommended the Division issue the CSW and notify Mr. Lewis of the education requirement to become licensed as an LCSW.**

Erika Williams, Education Review

**The Board reviewed the Social Work Law and Rules and Ms. Williams application for licensure as a Licensed Clinical Social Worker (LCSW). The Board determined Ms. Williams has not met the education requirements for licensure as an LCSW as Ms. Williams has not completed the requirement of Law 58-60-205.(1)(g) have completed a case work, group work, or family treatment course sequence with a clinical practicum in content as defined by rule... The Board recommended the Division deny Ms. Williams licensure as an LCSW until she completes the deficiencies.**

Justin Heilenbach, Education Review

**The Board reviewed the Social Work Law and Rules and Mr. Lewis application for licensure as a Certified Social Worker (CSW). The Board determined Mr. Heilenbach has met the education requirements for licensure as a CSW and will meet the education requirements for LCSW as the transcripts document completion of the clinical coursework. The Board recommended the Division issue the CSW license.**

## **DISCUSSION ITEMS:**

Administrative Track and Education

The Board reviewed the Laws and Rules and determined an individual may qualify for Certified

Social Worker licensing with the administrative track in Social Work from a CSWE accredited program. The Board determined, however, that the individual must have completed the requirements in the Law (58-60-205.(1)(g) have completed a case work, group work, or family treatment course sequence with a clinical practicum in content as defined by rule) prior to submitting an application for Licensed Clinical Social Worker. The Board further determined that the CSW is limited in their practice if they have the administrative tract as defined by scope of practice under 58-60-207(2) to the extent an individual is professional prepared by the education and training track completed while earning a master's or doctor of social work degree, a licensed certified social worker may engage in all acts and practices defined as the practice of certified social work consistent with the licensee's education, clinical training, experience, and competence.

#### Tentative 2006 Board Meeting Schedule

**The Board noted the following tentative dates for the 2006 Board meeting schedule: January 12, February 9, March 16, April 13, May 4, June 8, July 13, August 10, September 7, October 12, November 9 and December 14, 2006.**

#### Fine Authority

Ms. Taxin discussed the issue of clinical social worker applications being received where the applicant completes the supervision form and the supervisor just signs that the applicant has completed the hours and is qualified to be licensed. Ms. Taxin stated that several applications have come in where the applicant has completed hours while unlicensed or hours that were not in a setting that provides mental health therapy. Ms. Taxin explained that the applications have been denied as the hours will not count and the applicant must complete proper hours before reapplying. Ms. Taxin stated that the employers are not checking to be sure individuals have the required license and supervisors, when contacted, do not appear to take the responsibility of supervision seriously.

Ms. Taxin asked the Board to consider implementing fine authority. Ms. Taxin explained that there would be a cease and desist agreement attached with a fine. The supervisor or supervisee would have to appear at a hearing before the Division Judge regarding the fine.

Ms. Taxin stated that she believes the word would get out to the profession and, after a few people have to meet for a hearing and have to pay a fine, supervisors might be more responsible.

**The Board requested Ms. Taxin to check into the possibility of fine authority and report back for further discussion.**

Legislative Issues

None at this time.

Other Discussion Items as Needed

None at this time.

**NEXT MEETING SCHEDULED FOR:**

January 12, 2006

**MEETING ADJOURNED AT:**

3:15 pm

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Date Approved

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Chairperson, Utah Social Work Licensing Board

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Date Approved

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Bureau Manager, Division of Occupational & Professional Licensing